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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7718 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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AMARAVATI CO-OPERATIVE HOUSINGSOCIETY LTD

Versus

VALABHAI GANESHBHAI VANKAR

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Appearance:

MR PM BHATT for Petitioner

MR BS PATEL for Respondent No. 3

Ms MANISHA LAVKUMAR, AGP for Respondent No. 4, 5

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 17/06/1999

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. The petitioner-society has challenged the order passed by the State Government cancelling the permission granted earlier by the State Government under Section 20 of the Urban Land (Ceiling & Regulation) Act, 1976 under

which permission the petitioner-society had purchased the land from respondent Nos. 1 and 2 herein. While admitting the petition on 22-10-1991 this Court had directed the parties to maintain status quo. The authorities have not taken possession of the land in question, which fact is not in dispute.

3. The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999, passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the order impugned in the present petition does not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4. The petition is accordingly disposed of as having abated. There shall be no order as to costs.

June 17, 1999 (M.S. Shah, J.)

sundar/-